

EXHIBIT F



U.S. Department of Justice

Civil Division, Fraud Section

601 D Street, NW
Washington, D.C. 20004

Telephone: (202) 305-9300
Telecopier: (202) 616-3085

Via Courier or Over-night Delivery

March 17, 2009

David Torborg
Jones Day
51 Louisiana Ave., N.W.
Washington, DC 20001-2113

Eric Gortner
Kirkland & Ellis
200 East Randolph Drive
Chicago, Illinois 60601-6636

Neil Merkl
Kelley Drye & Warren, LLP
101 Park Avenue
New York, NY 10178

Re: Average Wholesale Price Multi-District Litigation
MDL No. 1456/C.A. No. 01-12257-PBS (D. Mass.)

Dear Counsel:

Enclosed please find two categories of material. The first category, bearing bates prefix HHD336, is additional material the Government is producing from the Office of Legislation, CMS. The second category, bearing bates prefix HHD335, includes material pertaining to Illinois State Plan Amendment 02-09.

With respect to the material from the Office of Legislation, this production includes draft versions of an internal CMS memorandum. The locations of text in the draft memos which have been redacted based on the deliberative content have been specified by use of a "redacted" legend. Additionally, pursuant to instructions from counsel for the Government Accountability Office (GAO), we have withheld GAO material consisting of two draft reports and a draft version of congressional testimony that were in the CMS files. Final versions of the draft reports, entitled "Medicare: Payment for Covered Outpatient Drugs Exceed Providers' Costs" and "Medicare Physician Fee Schedule: Practice Expense Payments to Oncologists Indicate Need For Overall Refinements" were issued by the GAO in September 2001 and October 2001, respectively. The draft testimony relates to drugs covered by Medicare Part B and provides comments regarding an ongoing GAO study of Medicare's payments for Part B-covered drugs.

Thank you for your attention.

Very Truly Yours,

/s/

Justin Draycott
Trial Attorney
Commercial Litigation Branch

-2-

Enclosures

cc: Jim Breen
George B. Henderson